S.B.Cr.Misc. Bail App. No.4316/2007

(Ram Lal vs. State of Rajasthan)

Date of order : September 12, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Suresh Kumbhat, for the petitioner.

Mr.Vishal Raj Mehta, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned as well as the police investigation diary.

It is contended by the learned counsel for the petitioner that the prosecutrix has married to petitioner Ram Lal and a marriage certificate has been issued by the Registrar of Marriage, Unai, District Navsari, Gujarat, a photo copy whereof has been placed on record, wherein the name of Kishore Bhai Champaklal Joshi, who is said to be the priest and performed the marriage ceremony, has been shown. It is further contended that the prosecutrix is major, even in her affidavit, she has shown her age to be 25 years and in her statement recorded by the Magistrate, her age is shown as 22 years.

Be that as it may, without commenting of the merit of the

case and looking to the fact that prima facie there is a documentary evidence available on record that the prosecutrix has married to the petitioner, I consider it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Ram Lal s/o Lala Ramji be released on bail in CR. No.77/2007, P.S. Falna, Distt. Pali provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-